

SENATE BILL NO. 527

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GANNON.

1767S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 376.1060, RSMo, and to enact in lieu thereof one new section relating to the delivery of health care services by dentists.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 376.1060, RSMo, is repealed and one
2 new section enacted in lieu thereof, to be known as section
3 376.1060, to read as follows:

376.1060. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Contracting entity", any person or entity,
4 **including a health carrier**, that is engaged in the act of
5 contracting with providers for the delivery of [dental]
6 **health care** services [or the selling or assigning of dental
7 network plans to other health care entities];

8 (2) ["Identify", providing in writing, by email or
9 otherwise, to the participating provider the name, address,
10 and telephone number, to the extent possible, for any third
11 party to which the contracting entity has granted access to
12 the health care services of the participating provider]

13 "Health care service", the same meaning given to the term in
14 section 376.1350;

15 (3) "Health carrier", the same meaning given to the
16 term in section 376.1350. The term "health carrier" shall
17 also include any entity described in subdivision (4) of
18 section 354.700;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 (4) "Network plan", [health insurance] coverage
20 offered by a health [insurance issuer] **carrier for health**
21 **care services provided by a participating provider** under
22 which the financing and delivery of [dental] **the health care**
23 services are provided in whole or in part through a defined
24 set of participating providers [under contract with the
25 health insurance issuer];

26 [(4)] (5) "Participating provider", a provider who,
27 under a contract with a contracting entity, has agreed to
28 provide [dental] **health care** services with an expectation of
29 receiving payment, other than coinsurance, co-payments or
30 deductibles, directly or indirectly from the contracting
31 entity;

32 [(5)] (6) "Provider", any person licensed under
33 section 332.071.

34 2. A contracting entity shall not sell, assign, or
35 otherwise grant **a network plan** access to [the dental
36 services of] a participating [provider under a health care
37 contract unless expressly authorized by the health care
38 contract. The health care contract shall specifically
39 provide that one purpose of the contract is the selling,
40 assigning, or giving the contracting entity rights to the
41 services of the participating provider, including network
42 plans] **provider's health care services until the contracting**
43 **entity has notified the participating provider thirty days**
44 **in advance of such participating provider's health care**
45 **services being made available to the network plan's**
46 **participants and the participating provider has agreed in**
47 **writing separate from any other agreement entered into**
48 **before the receipt of the notification. The notification**
49 **shall identify the network plan, the health care services**
50 **included, and a fee schedule if different from the network**

51 **plan for which the participating provider is currently**
52 **providing health care services.**

53 3. [Upon entering a contract with a participating
54 provider and upon request by a participating provider, a
55 contracting entity shall properly identify any third party
56 that has been granted access to the dental services of the
57 participating provider.]

58 4.] A contracting entity that sells, assigns, or
59 otherwise grants **a network plan** access to [the dental
60 services of] a participating [provider] **provider's health**
61 **care services** shall maintain an internet website or a toll-
62 free telephone number through which the participating
63 provider may obtain information which identifies the
64 [insurance] **health** carrier to be used to reimburse the
65 participating provider for the covered [dental] **health care**
66 services.

67 [5.] 4. A contracting entity that sells, assigns, or
68 otherwise grants **a network plan** access to a participating
69 provider's [dental] **health care** services shall ensure that
70 an explanation of benefits or remittance advice furnished to
71 the participating provider that delivers [dental] **health**
72 **care** services [under the health care contract] **for the**
73 **network plan** identifies the contractual source of any
74 applicable discount.

75 [6. All third parties that have contracted with a
76 contracting entity to purchase, be assigned, or otherwise be
77 granted access to the participating provider's discounted
78 rate shall comply with the participating provider's
79 contract, including all requirements to encourage access to
80 the participating provider, and pay the participating
81 provider pursuant to the rates of payment and methodology

82 set forth in that contract, unless otherwise agreed to by a
83 participating provider.

84 7. A contracting entity is deemed in compliance with
85 this section when the insured's identification card provides
86 information which identifies the insurance carrier to be
87 used to reimburse the participating provider for the covered
88 dental services.]

